

Message Text

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ACTION IO-14

INFO OCT-01 ARA-10 ISO-00 HA-05 EUR-12 SS-15 SP-02
NSC-05 ICA-11 PA-01 CIAE-00 INR-10 NSAE-00 L-03
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R 080050Z JUN 78
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC 1846
INFO AMEMBASSY SANTIAGO
USMISSION GENEVA

C O N F I D E N T I A L SECTION 01 OF 02 USUN NEW YORK 02322

EO 11652: GDS
TAGS: SHUM, CI
SUBJECT: UN SECRETARIAT AWAITING PINOCHET'S STATEMENT

REF: USUN 2238, SANTIAGO 4287, GENEVA 08607

1. THE AD HOC WORKING GROUP INTENDS TO WAIT
PERHAPS TILL MONDAY, JUNE 12, IN ORDER TO DIGEST THE
STATEMENT BEFORE ANNOUNCING ITS PLANS TO VISIT CHILE.
AT PRESENT USUN BELIEVES PINOCHET'S SPEECH IS SLATED
FOR THURSDAY EVENING, JUNE 8. USUN WOULD APPRECIATE
A CABLE COPY OF THE COMPLETE TEXT OF THE STATEMENT
WHEN AVAILABLE.
2. CHILEAN EXILE GROUPS ARE WORKING HARD TO PUT TO-
GETHER A DELEGATION OF AMBASSADORS TO THE UN TO VISIT
THE SYG THURSDAY OR FRIDAY, JUNE 8 OR 9, TO REQUEST THE
SYG NAME A MEDIATOR ON THE QUESTION OF THE HUNGER STRIKE
TO GO TO CHILE IMMEDIATELY. APPARENTLY, EIGHT OR NINE
(MOSTLY WEO) AMBASSADORS, HEADED BY VINCI FROM ITALY,
HAVE AGREED TO GO.
3. RE GENEVA'S 08607 MEZVINSKY TALKED TO ALLANA AFTER-
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NOON OF JUNE 7. ALLANA MENTIONED THAT ON SAME DAY AS
HIS ARRIVAL IN KARACHI, HE WAS MET AT HIS HOME BY RE-
PRESENTATIVES FROM THE SOVIET UNION WHO 'ANGRILY"
PRESENTED A MESSAGE INDICATING THEIR DISAPPROVAL OF
THE VISIT TO CHILE WITHOUT ALLANA. ALLANA EXPLAINED
HIS POSITION TO THE RUSSIANS AND HAS SUBSEQUENTLY
REITERATED TO THE HUMAN RIGHTS DIVISION

DIRECTOR THEO VAN BOVEN THAT HE WILL NOT BE GOING TO CHILE. HE EXPECTS TO MEET IN NY ON JULY 28 WITH THE OTHER MEMBERS OF THE GROUP FOLLOWING THEIR TRIP TO CHILE.

4. TEXT FOLLOWS OF THE GOC REPLY (GOC TRANSLATION) TO MEMORANDUM DATED MAY 25.
MR. SECRETARY GENERAL,

- IN COMPLIANCE WITH EXPRESS INSTRUCTIONS OF MY GOVERNMENT, I HAVE THE HONOR TO TRANSCRIBE THE FOLLOWING TELEGRAPHIC COMMUNICATION ADDRESSED TO YOUR EXCELLENCY, BY THE MINISTER OF FOREIGN AFFAIRS OF CHILE, MR. HERNAN CUBILLOS SALLATO:

"SANTIAGO, CHILE, JUNE 5TH, 1978

"MR. SECRETARY GENERAL,

"UNITED NATIONS,

"NEW YORK, N.Y.

"MR. SECRETARY GENERAL,

- "THE GOVERNMENT OF THE REPUBLIC OF CHILE, FOLLOWING APPROVAL OF THE HONORABLE JUNTA, HAS DECIDED TO GRANT ITS CONSENT TO EXTEND AN INVITATION TO THE WORKING GROUP AD-HOC OF THE HUMAN RIGHTS COMMISSION IN ORDER THAT THEY VISIT THE COUNTRY, IN ACCORDANCE WITH TERMS CONTAINED IN MEMORANDUM OF MAY 25, 1978 SPECIFYING THE CONFIDENTIAL

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AGREEMENTS REACHED BETWEEN THE DELEGATION OF CHILE TO THE UNITED NATIONS AND THE MEMBERS OF THE WORKING GROUP AD-HOC.

- "THE GOVERNMENT OF CHILE THUS COMPLIES WITH THE COMMITMENT, FREELY UNDERTAKEN IN FEBRUARY 1975, TO ACCEPT THE VISIT OF SAID GROUP TO THE NATIONAL TERRITORY, INASMUCH AS THE CONDITIONS WHICH, IN ITS OPINION, ENABLED THE MATERIALIZATION THEREOF, HAVE BEEN COMPLIED WITH IN A RATIONAL AND JURIDICAL MANNER.

- "AS IT IS OF THE KNOWLEDGE OF YOUR EXCELLENCY, THIS IS THE FIRST INSTANCE WHEREBY A SOVEREIGN STATE LENDS ITS CONSENT TO A VISIT SUCH AS THAT AGREED WITH THE WORKING GROUP AD-HOC, THUS ESTABLISHING A PRECEDENT RESULTING IN POSITIVE EFFECTS IN CONNECTION WITH THE HUMAN RIGHTS CAUSE IN THE WORLD, PROVIDED SUCH ACTION IS CARRIED OUT WITHIN THE SCOPE OF COOPERATION TOWARDS THE SOLUTION OF THE PROBLEMS RAISED AND WITHIN THE MOST STRICT RESPECT FOR THE PRINCIPLES OF SOVEREIGNTY AND NATIONAL SELF-DETERMINATION AND NON INTERVENTION WITH REGARD TO MATTERS WHICH PERTAIN EXCLUSIVELY TO THE JURISDICTION OF

THE STATES.

- "THESE BASIC PRINCIPLES OF INTERNATIONAL LAW, ACKNOWLEDGED BY THE CHART OF THE UNITED NATIONS, AND WHICH CHILE HAS AT ALL TIMES PERSEVERED UPON, ARE PRECISELY THE ONLY ONES WHICH MAY ENABLE THE WORTHINESS AND EFFICIENCY OF THE PLANNED VISIT.
- "NO COUNTRY MAY BE SUBMITTED TO SUCH AN ACTION IN THE ABSENCE OF ITS FREE AND SOVEREIGN CONSENT AND PROVIDED SUCH PRINCIPLES SHOULD PREVAIL. WHEREAS, THE PRECEDENT

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REFERRED TO ABOVE SHALL BE WORTHY AS LONG AS THE COMMISSION SHOWS OBJECTIVITY IN ITS PROCEDURES AND CONCLUSIONS AND PROVIDED IT SHOULD ABIDE BY THE RULES INTERNATIONALLY ACKNOWLEDGED.

- "THE GOVERNMENT OF CHILE DEEMS APPROPRIATE TO LEAVE ON RECORD ITS APPRECIATION TO THE AMBASSADOR OF THE UNITED STATES OF AMERICA TO THE HUMAN RIGHTS COMMISSION MR. E. MEDZVINSKY, WHOSE MEDIATION HAS BEEN MOST EFFECTIVE IN SOLVING THE IMPASSE PRODUCED BETWEEN THE GOVERNMENT OF CHILE AND THE WORKING GROUP AND TOWARDS PLACING THE PLANNED VISIT WITHIN A SCOPE OF HARMONY, REGARDING THE AFOREMENTIONED BASIC LAW PRINCIPLES, WHICH PREVAIL AND ARE ACKNOWLEDGED WITHIN THE SCOPE OF THE UNITED NATIONS ON THIS MATTER, AND THE APPROPRIATE FREEDOM AND ASSISTANCE WHICH THE STATE SHOULD LEND THE GROUP IN ORDER THAT IT MAY EFFICIENTLY COMPLY WITH THE TASK ENTRUSTED THEREWITH.
- "THIS ATTITUDE OF THE GOVERNMENT OF CHILE IS STRICTLY

CONCORDANT WITH THE STATEMENT MADE BY HIS EXCELLENCY THE
PRESIDENT OF THE REPUBLIC ON THE OCCASION OF HIS ADDRESS
OF DECEMBER 21, 1977, CALLING FOR THE NATIONAL POLL HELD
ON JANUARY 4, 1978. IN HIS SPEECH, THE PRESIDENT OF THE
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REPUBLIC STATED THAT THE GOVERNMENT OF CHILE WOULD BE
WILLING TO ACCEPT THE VISIT OF ANY GROUP OF THE UNITED
NATIONS PROVIDED THE RULES GOVERNING A DUE PROCESS WERE
FOLLOWED.

- "AS THE SECRETARY-GENERAL WILL UNDERSTAND THE UNITED
NATIONS, INASMUCH AS THE CHART THEREOF HAS BEEN INSPIRED
IN THE SEARCH FOR A REASONABLE MANNER TO PROMOTE HUMAN
RIGHTS IN THE WORLD, SHOULD IGNORE ALL MORAL
AUTHORITY OF THOSE STATES WHICH, WHILE QUESTIONING THE
SITUATION OF CHILE ON THESE MATTERS, REFUSE TO ACKNOW-
LEDGE THE PRECEDENT WHICH HAS BEEN ESTABLISHED BY MEANS
OF THIS RESOLUTION.

- "THROUGH THIS ATTITUDE CHILE HOPES TO CONTRIBUTE
TOWARDS A DEFINITIVE DISCONTINUANCE OF THE INJUST
DOUBLE STANDARD SITUATION PREVAILING IN THAT WORLD
ORGANIZATION AND WHICH HAS DESTROYED THE PRINCIPLE OF
JURIDICAL EQUALITY OF THE STATES AND THE CONSEQUENT
UNIVERSAL TREATMENT.

- "I AVAIL MYSELF OF THIS OPPORTUNITY TO RENEW TO
YOUR EXCELLENCY THE ASSURANCES OF MY HIGHEST AND
DISTINGUISHED CONSIDERATION.

"HERNAN CUBILLOS SALLATO.

"MINISTER OF FOREIGN AFFAIRS OF CHILE."

- I AVAIL MYSELF OF THIS OPPORTUNITY TO RENEW TO YOUR
EXCELLENCY THE ASSURANCES OF MY HIGHEST AND DISTINGUISHED
CONSIDERATION.

SERGIO DIEZ
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AMBASSADOR
PERMANENT REPRESENTATIVE.
YOUNG

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